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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/912,574	07/26/2001	Ha-Hong Kim	P56370	5496

8439 7590 11/15/2004

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1522 K STREET NW
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WASHINGTON, DC 20005-1202

EXAMINER

TIEU, BENNY QUOC

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 11/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/912,574

Applicant(s)

KIM ET AL.

Examiner

Benny Q. Tieu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>7/26/01, 4/5/02, 8/2</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Lee (U.S. Patent Application Publication No. 2001/0046860).

Regarding claim 1, Lee teaches A service apparatus for a public and private mobile communication network in a mobile communication service system including a public mobile communication network and a private mobile communication network, the service apparatus comprising:

a device for connecting a public mobile communication service system to a private mobile communication service system, and providing a mobile station (MS 24) in a predetermined service area with both a public mobile communication service and a private mobile communication service, said device (Fig. 1, 12) including:

a base station transceiver subsystem (BTS) located in the predetermined service area, for forming a radio channel to the mobile station in the service area (Fig. 1);

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a communication path provider connected to the base station transceiver subsystem, a base station controller in the public mobile communication service system and a mobile switching center of the private mobile communication service system, said communication path provider providing a communication path for transmitting data of the service system and data of the base station transceiver subsystem (see [0021]); and

a call manager for distinguishing the public mobile communication service from the private mobile communication service by analyzing data received through the communication path, and performing call management for the corresponding service (see [0022]).

Regarding claims 2-4, see [0026] and [0032] through [0036].

Regarding claims 5-9, the limitations of the claims are rejected for the same reasons as set forth in the rejections of claims 1-4 above.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lu et al. (U.S. Patent No. 5,818,824) teach a private multiplexing cellular network. Sakamoto et al. (U.S. Patent No. 6,047,176) teach a mobile communication system and base station apparatus therefor. Watanabe et al. (U.S. Patent No. 6,351,649) teach a mobile communication system. Raith (U.S. Patent No. 6,493,550) teaches a system proximity detection by mobile stations. Sayers et al. (U.S. Patent No. 6,539,237) teach a method and apparatus for integrated wireless communications in private and public network environments. Sato et al. (U.S. Patent Application Publication No. 2003/0036409) teach an autonomous zone forming communications device and autonomous zone forming method.

4. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

OR Hand-delivered responses should be brought to:

220 South 20th Street

Crystal Plaza Two, Lobby, Room 1B03

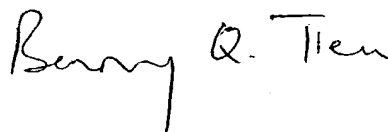
Arlington, VA 22202.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benny Q. Tieu whose telephone number is (703) 305-2360. The examiner can normally be reached on Monday-Friday: 6:30AM - 5:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



BENNYTIEU
PRIMARY EXAMINER

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November 10, 2004